

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

8.691 ACRES OF LAND, MORE OR LESS,  
SITUATE IN CAMERON COUNTY,  
STATE OF TEXAS; AND J & I  
PARTNERS, LTD, ET AL.,

*Defendants.*

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CASE NO.: 1:20-CV-96

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**COMPLAINT IN CONDEMNATION**

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1. This is a civil action brought by the United States of America at the request of the Secretary of the Department of Homeland Security, through [the Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Program Management Office Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security], for the taking of property under the power of eminent domain through a Declaration of Taking, and for the determination and award of just compensation to the owners and parties in interest.

2. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1358.

3. The interest in property taken herein is under and in accordance with the authority set forth in Schedule "A."

4. The public purpose for which said interest in property is taken is set forth in Schedule "B."

5. The legal description and map or plat of land in which certain interests are being

acquired by the filing of this Complaint, pursuant to the Declaration of Taking, are set forth in Schedules “C” and “D.”

6. The interest being acquired in the property described in Schedules “C” and “D” is set forth in Schedule “E.”

7. The amount of just compensation estimated for the property interest being acquired is set forth in Schedule “F.”

8. The names and addresses of known parties having or claiming an interest in said acquired property are set forth in Schedule “G.”

9. Local and state taxing authorities may have or claim an interest in the property by reason of taxes and assessments due and eligible.

WHEREFORE, Plaintiff requests judgment that the interest described in Schedule “E” of the property described in Schedules “C” and “D” be condemned, and that just compensation for the taking of said interest be ascertained and awarded, and for such other relief as may be lawful and proper.

Respectfully submitted,

**RYAN K. PATRICK**  
United States Attorney  
Southern District of Texas

By: *s/ Manuel Muniz Lorenzi*  
**MANUEL MUNIZ LORENZI**  
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Puerto Rico Bar No. 21246  
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# SCHEDULE A

**SCHEDULE A**

**AUTHORITY FOR THE TAKING**

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved February 15, 2019, as Public Law 116-6, div. A, tit. II, Section 230, which appropriated the funds that shall be used for the taking.

# SCHEDULE B

**SCHEDULE B**

**PUBLIC PURPOSE**

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

# SCHEDULE C

**SCHEDULE C**

**LEGAL DESCRIPTION**

Cameron County, Texas

Tract: RGV-HRL-7503

Owner: J & I Partners, LTD, et al.

Acres: 8.691

**Being** a 8.691 acre tract (378,567 sq ft) parcel of land, more or less, being out of a called 153.765 acre tract, calculated as 157.208 acres, in Cameron County, Texas conveyed to J & I Partners LTD, Volume 19026, Page 237 and Volume 20192, Page 171. Said parcel of land more particularly described by metes and bounds as follows;

**Starting** at a Stainless Steel Rod in a Concrete Structure, Stamped: PHR-031-0010, COE PID#: AHJ405, having the following NAD83 (2011) Grid Coordinates N=16533818.85, E=1275206.55; Thence S 29°09'26" W a distance of 5484.88 feet to a found 2-3/4" iron pipe with a 3" Aluminum Disk, Stamped Tract No. 250, Corner No. 1 on the West line of the J & I Partners LTD tract, Volume 19026, Page 237 and the Northeast corner of the United States of America tract, Volume 1095, Page 7, for the **Point of Commencement**, having the following coordinates: N=16529028.98, E=1272534.28.

**Thence:** S 02°24'10" W along the East line of the United States of America tract, Volume 1095, Page 7 and the West line of the J & I Partners LTD tract, Volume 19026, Page 237, a distance of 586.96 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7501-8=7503-1, for the **Point of Beginning**, having the following coordinates: N=16528442.54, E=1272509.67.

**Thence:** S 77°22'44" E departing said property line, following a line at an approximate 60 foot offset North of the existing levee toe, crossing the center of an existing 19 foot wide dirt road at 25 feet, a distance of 48.78 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-2 for angle;

**Thence:** N 70°12'28" E along said North line, a distance of 101.36 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-3 for angle;

**Thence:** N 63°53'48" E along said North line, a distance of 390.16 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-4 for angle;

**Thence:** N 66°16'22" E along said North line, a distance of 106.94 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-5 for angle;



**SCHEDULE C (Cont.)**

**Thence:** N 68°17'11" E along said North line, crossing the East line of the J & I Partners LTD tract, Volume 19026, Page 237 and the West line of the J & I Partners LTD tract, Volume 20192, Page 171 at 52.87 feet, a distance of 123.19 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-6 for angle;

**Thence:** N 78°34'51" E along said North line, a distance of 187.02 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-7 for angle;

**Thence:** N 89°16'07" E along said North line, a distance of 155.38 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-8 for angle;

**Thence:** S 82°39'37" E along said North line, a distance of 196.62 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-9 for angle;

**Thence:** S 72°54'46" E along said North line, a distance of 41.63 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-10=7505-1 for angle, said point being on the East line of the J & I Partners LTD tract, Volume 20192, Page 171 and on the West line of the Juan Rodriguez tract, Volume 880, Page 291;

**Thence:** S 07°03'50" W along said property line, departing said North line, entering the I.B.W.C. levee Right-of-Way File No. 5030-R-459-C at 50.83 feet, crossing the center of the levee road at 93 feet, a distance of 279.21 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-11=7505-7 for angle, said point being on the South limit of the 150' enforcement zone and on the East line of the I.B.W.C. levee Right-of- Way File No. 5030-R-459-C;

**Thence:** N 71°24'16" W departing said property line, departing said I.B.W.C. line, along said enforcement zone, a distance of 71.68 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-12 for angle;

**Thence:** N 85°19'46" W along said enforcement zone, crossing the center of an existing 12 foot wide dirt road at 104 feet, departing the I.B.W.C. levee Right-of-Way File No. 5030-R- 459-C and entering the I.B.W.C. levee Right-of-Way File No. 5034-R-458-C at 108.70 feet, a distance of 153.38 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-13 for angle;

**Thence:** S 86°58'11" W along said enforcement zone, a distance of 123.68 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-14 for angle;

**Thence:** S 77°53'50" W along said enforcement zone, a distance of 148.58 feet to a set

**SCHEDULE C (Cont.)**

5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-15 for angle;

**Thence:** S 63°35'24" W along said enforcement zone, crossing the East line of the J & I Partners LTD tract, Volume 19026, Page 237 and the West line of the J & I Partners LTD tract, Volume 20192, Page 171 and departing the I.B.W.C. levee Right-of-Way File No. 5034-R-458-C and entering the I.B.W.C. levee Right-of-Way File No. 5033-R-457-C at 146.87 feet, crossing the center of an existing 15 foot wide dirt road at 173 feet, departing the I.B.W.C. levee Right-of-Way File No. 5033-R-457-C and entering the I.B.W.C. levee Right-of-Way File No. 5033-R-34-C at 492.88 feet, a distance of 495.80 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-16 for angle;

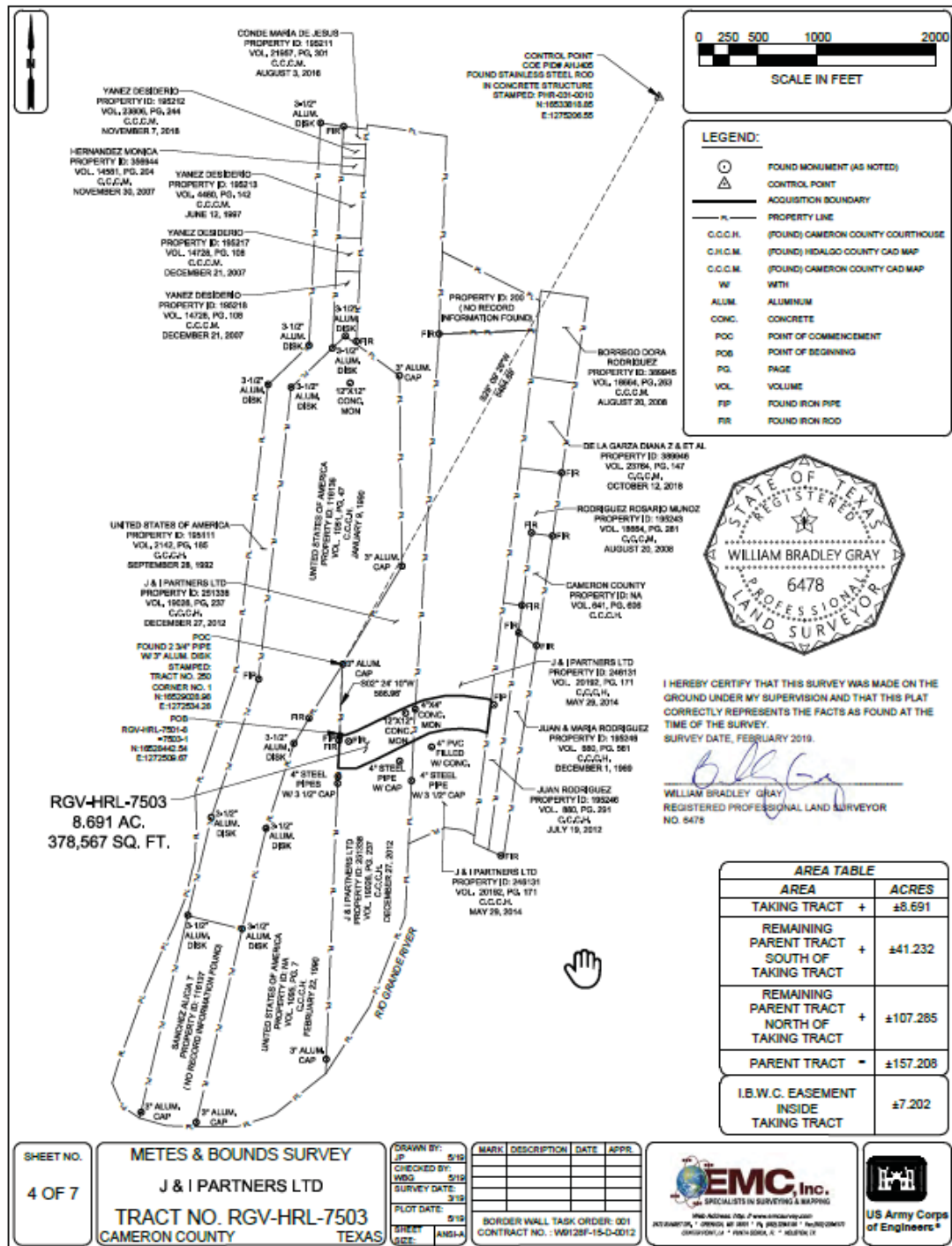
**Thence:** S 66°06'38" W along said enforcement zone, crossing the center of an existing 21 foot wide dirt road at 86 feet, a distance of 183.38 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7503-17 for angle;

**Thence:** N 89°24'42" W along said enforcement zone, a distance of 155.54 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-HRL-7501-10=7503-18 for angle, said point being on the West line of the J & I Partners LTD tract, Volume 19026, Page 237 and on the East line of the United States of America tract, Volume 1095, Page 7 and on the West line of the I.B.W.C. levee Right-of-Way File No. 5033-R-34-C;

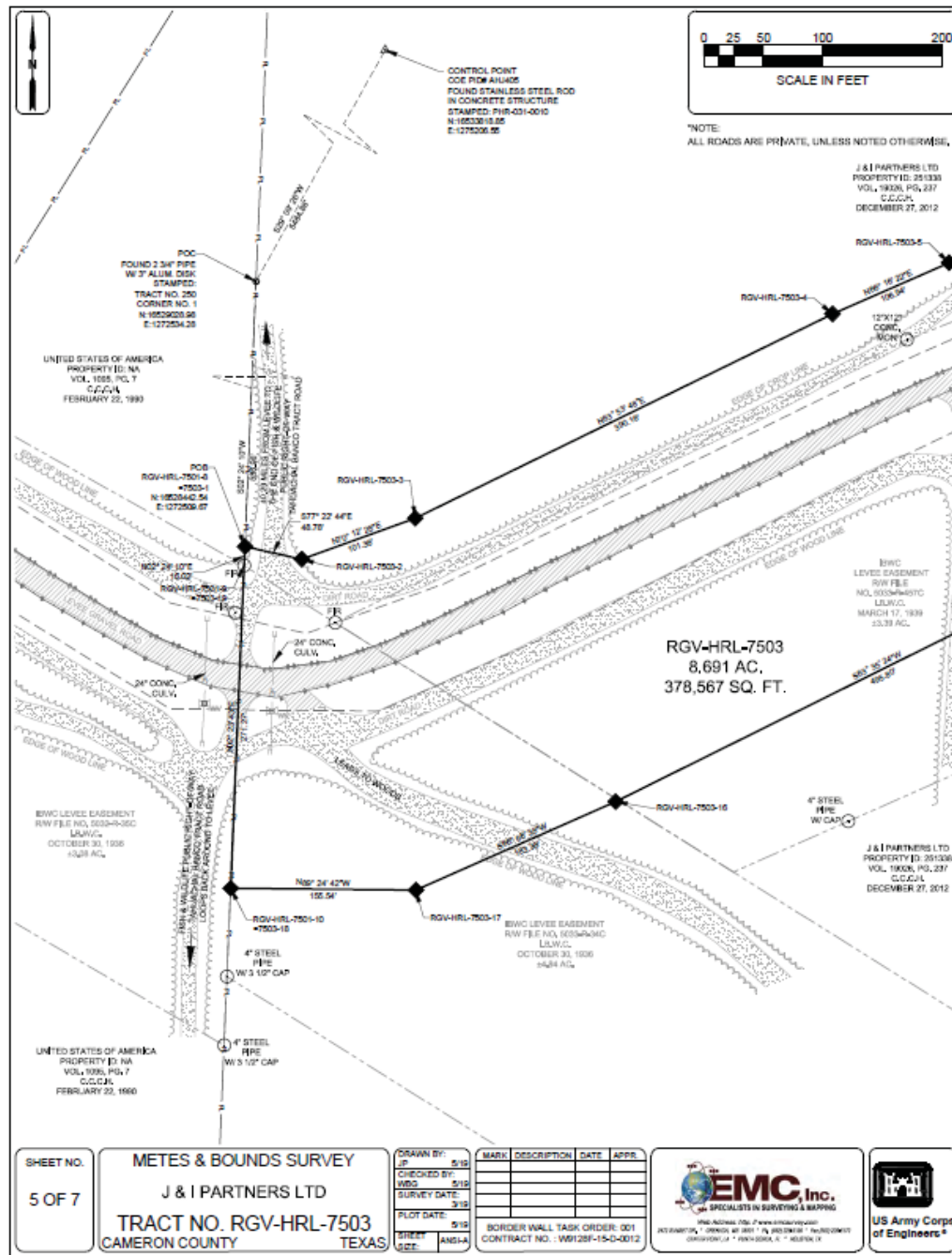
**Thence:** N 02°23'43" E along said property line, along said I.B.W.C. line, departing said enforcement zone, crossing the center of the levee road at 175 feet, a distance of 271.27 feet to a found 3" iron pipe designated as RGV-HRL-7501-9=7503-19 for angle, said point being the Northwest corner of the I.B.W.C. levee Right-of-Way File No. 5033-R-34-C;

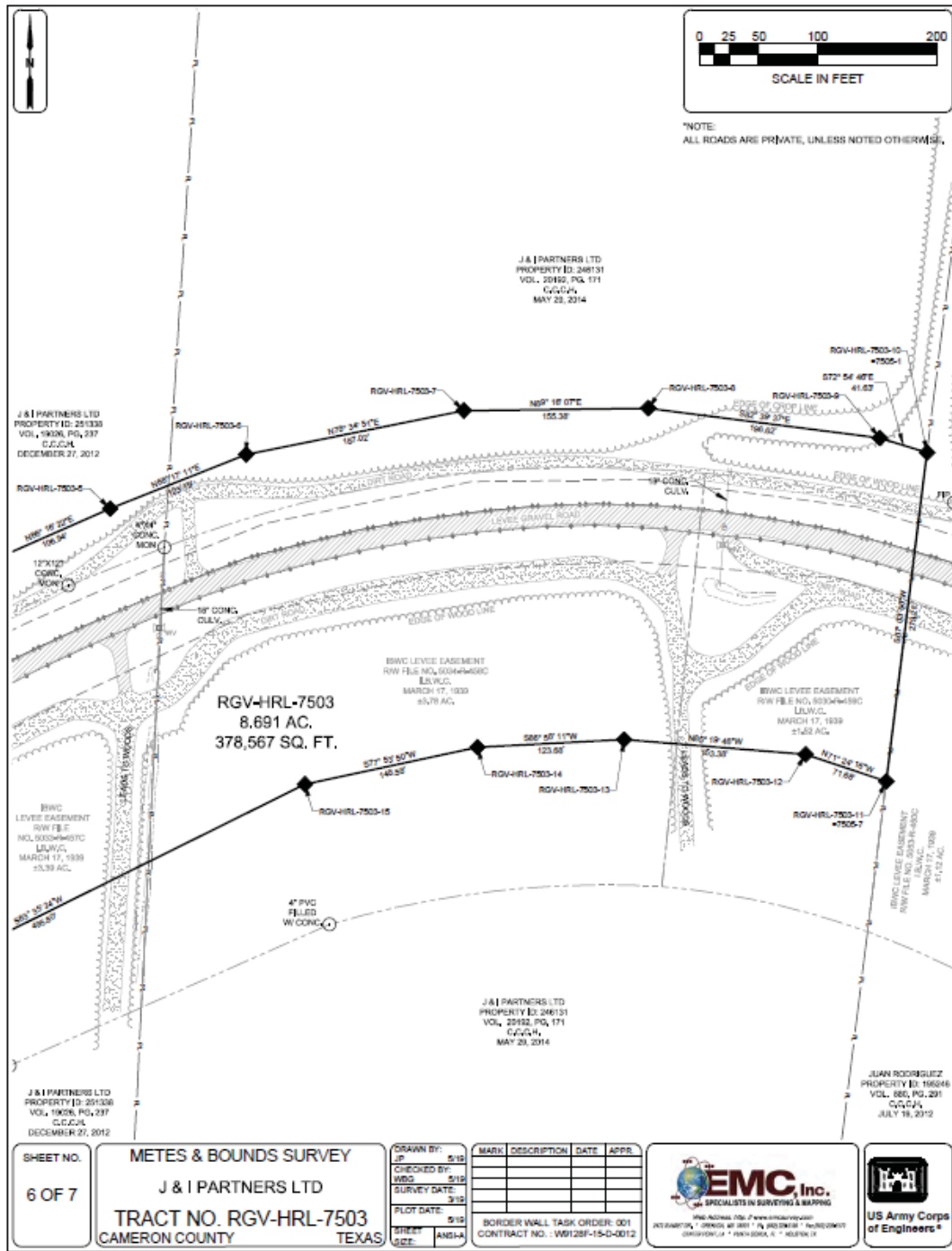
**Thence:** N 02°24'10" E along said property line, departing said I.B.W.C. line, a distance of 16.02 feet, returning to the **Place of Beginning**.

# SCHEDULE D

**SCHEDULE D****MAP or PLAT**

EMC, INC. PROJECT NO.: 19028

**SCHEDULE D (Cont.)**

**SCHEDULE D (Cont.)**



**SCHEDULE D (Cont.)**

LEGEND:					
	FOUND MONUMENT (AS NOTED)		UNDERGROUND COMMUNICATIONS/TELEPHONE LINE		EDGE OF RIPRAP
	SET 5/8\"/>		UNDERGROUND FIBER OPTIC LINE		EDGE OF VEGETATING (TYPE NOTED)
	CONTROL POINT		CATCH BASIN		MISCELLANEOUS SYMBOL (SEE LABEL)
	ACQUISITION BOUNDARY		STORM GRATE		C.C.C.H. (FOUND) CAMERON COUNTY COURTHOUSE
	EASEMENT LINE		STORM SEWER VALVE		C.H.C.M. (FOUND) HIDALGO COUNTY CAD MAP
	PROPERTY LINE		STORM MANHOLE		C.C.C.M. (FOUND) CAMERON COUNTY CAD MAP
	EXISTING WALL		STORM SEWER		W WITH
	LEVEL CENTERLINE		CULVERT		UNK. UNKNOWN
	LEVEL TOP BANK		HEADWALL AND WINGWALL		ALUM. ALUMINUM
	LEVEL TOE		TOP OF DITCH		CONC. CONCRETE
	EDGE OF ROAD (TYPE NOTED)		BOTTOM OF DITCH		CULV. CULVERT
	SAVE AND EXCEPT AREA		EDGE OF WATER		POC POINT OF COMMENCEMENT
	EDGE OF SIDEWALK		WATER PUMP		POB POINT OF BEGINNING
	BUILDING OUTLINE (SEE LABEL)		MONITORING WELL		PG. PAGE
	FENCE (TYPE NOTED)		WATER VALVE		VOL. VOLUME
	EDGE OF STRUCTURE (SEE LABEL)		WATER METER		RIP FOUND IRON PIPE
	BRIDGE OUTLINE		HYDRANT		FIR FOUND IRON ROD
	OVERHEAD ELECTRICAL LINE		WATER EXTINGUISHER/FAUCET/SPIKET		1STFR 1 STORY FRAME HOUSE
	UNDERGROUND ELECTRICAL LINE		WATER MANHOLE		2STFR 2 STORY FRAME HOUSE
	LIGHT POLE		WATER LINE		1STBR 1 STORY BRICK HOUSE
	UTILITY POLE		LIFT STATION		2STBR 2 STORY BRICK HOUSE
	GUY END		PUMP STATION		1STCB 1 STORY COMMERCIAL BUILDING
	GUY POLE		SEWER CLEAN OUT		2STCB 2 STORY COMMERCIAL BUILDING
	JUNCTION BOX		SEWER MANHOLE		1STSB 1 STORY STORE BUILDING
	ELECTRICAL MANHOLE		SEWER WATER PUMP		2STSB 2 STORY STORE BUILDING
	ELECTRICAL METER		SANITARY SEWER VAULT		SHDWV SHED WOOD FRAME
	ELECTRICAL PULL BOX		SANITARY SEWER LINE		SHDBR SHED BRICK
	TRANSMISSION TOWER		GAS TANK		CLF CHAIN LINK FENCE
	SUBSTATION		GAS VALVE		WF WOODEN FENCE
	ELECTRICAL TRANSFORMER		GAS METER		SSF STONE OR BRICK FENCE
	COMMUNICATIONS/TELEPHONE MANHOLE		GAS LINE MARKER		BWF BARBED WIRE FENCE
	COMMUNICATIONS/TELEPHONE JUNCTION BOX/PEDESTAL		GAS VAULT		GAT GATE
	OVERHEAD COMMUNICATIONS/TELEPHONE LINE		GAS LINE		CEM CEMETERY OUTBOUND
			DOCKS / DECKS / PIERS		HDSN HEAD STONE

**GENERAL SURVEYOR'S NOTES:**

- THE BEARINGS, DISTANCES AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD 83(2011), TX SOUTH ZONE(4205), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING A SCALE FACTOR OF 1.000040021 (E.G. GRID X 1.000040021 = SURFACE).
- A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THE SUBJECT PARCEL MAY BE SUBJECT TO RECORDED, UNRECORDED OR MIS-INDEXED INSTRUMENTS OR FACTS WHICH WOULD BE REVEALED BY A THOROUGH TITLE EXAMINATION.
- THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND/OR GIS INFORMATION PROVIDED BY THE COUNTY AND IS NOT BASED ON FIELD DIMENSIONS.
- EMC, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS THE PRIME CONSULTANT. THE CORPS CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-11453.
- TEXAS 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON FEBRUARY 25, 2019 (TICKET NO. 195933105).
- LONE STAR 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON FEBRUARY 25, 2019 (TICKET NO. 590544860).

MONUMENT TABLE		
MONUMENT NAME	NORTHING	EASTING
RGV-HRL-7501-6-7503-1	16528442.54	1272509.67
RGV-HRL-7503-2	16528431.88	1272557.27
RGV-HRL-7503-3	16528466.20	1272652.64
RGV-HRL-7503-4	16528637.86	1273003.01
RGV-HRL-7503-5	16528680.89	1273100.91
RGV-HRL-7503-6	16528726.47	1273215.35
RGV-HRL-7503-7	16528763.50	1273398.67
RGV-HRL-7503-8	16528765.48	1273554.04
RGV-HRL-7503-9	16528740.36	1273749.06
RGV-HRL-7503-10-7505-1	16528728.13	1273788.85
RGV-HRL-7503-11-7505-7	16528451.04	1273754.51
RGV-HRL-7503-12	16528473.90	1273686.57
RGV-HRL-7503-13	16528486.39	1273533.70
RGV-HRL-7503-14	16528479.85	1273410.20
RGV-HRL-7503-15	16528448.70	1273264.92
RGV-HRL-7503-16	16528228.17	1272820.86
RGV-HRL-7503-17	16528153.90	1272653.20
RGV-HRL-7501-10-7503-18	16528155.50	1272497.66
RGV-HRL-7501-9-7503-19	16528426.53	1272509.00

SHEET NO.  7 OF 7	<b>METES &amp; BOUNDS SURVEY</b> <b>J &amp; I PARTNERS LTD</b> <b>TRACT NO. RGV-HRL-7503</b> <b>CAMERON COUNTY TEXAS</b>	DRAWN BY: JP 5/19	<table border="1"> <thead> <tr> <th>MARK</th> <th>DESCRIPTION</th> <th>DATE</th> <th>APPR.</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	MARK	DESCRIPTION	DATE	APPR.												
		MARK		DESCRIPTION	DATE	APPR.													
CHECKED BY: WBC 5/19	BORDER WALL TASK ORDER: 001 CONTRACT NO.: W0128F-15-D-0012																		
SURVEY DATE: 3/19																			
PLOT DATE: 5/19																			
STREET SIZE:	ANSI-A																		

**EMC, Inc.**  
SPECIALISTS IN SURVEYING & MAPPING

3900 Admiral Pkwy, Suite 100, Houston, TX 77060  
 281-444-1111 • 281-444-1112 • 281-444-1113 • 281-444-1114 • 281-444-1115 • 281-444-1116 • 281-444-1117 • 281-444-1118 • 281-444-1119 • 281-444-1120 • 281-444-1121 • 281-444-1122 • 281-444-1123 • 281-444-1124 • 281-444-1125 • 281-444-1126 • 281-444-1127 • 281-444-1128 • 281-444-1129 • 281-444-1130 • 281-444-1131 • 281-444-1132 • 281-444-1133 • 281-444-1134 • 281-444-1135 • 281-444-1136 • 281-444-1137 • 281-444-1138 • 281-444-1139 • 281-444-1140 • 281-444-1141 • 281-444-1142 • 281-444-1143 • 281-444-1144 • 281-444-1145 • 281-444-1146 • 281-444-1147 • 281-444-1148 • 281-444-1149 • 281-444-1150 • 281-444-1151 • 281-444-1152 • 281-444-1153 • 281-444-1154 • 281-444-1155 • 281-444-1156 • 281-444-1157 • 281-444-1158 • 281-444-1159 • 281-444-1160 • 281-444-1161 • 281-444-1162 • 281-444-1163 • 281-444-1164 • 281-444-1165 • 281-444-1166 • 281-444-1167 • 281-444-1168 • 281-444-1169 • 281-444-1170 • 281-444-1171 • 281-444-1172 • 281-444-1173 • 281-444-1174 • 281-444-1175 • 281-444-1176 • 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# SCHEDULE E



**SCHEDULE E**

**ESTATE TAKEN**

Cameron County, Texas

Tract: RGV-HRL-7503

Owner: J & I Partners, LTD, et al.

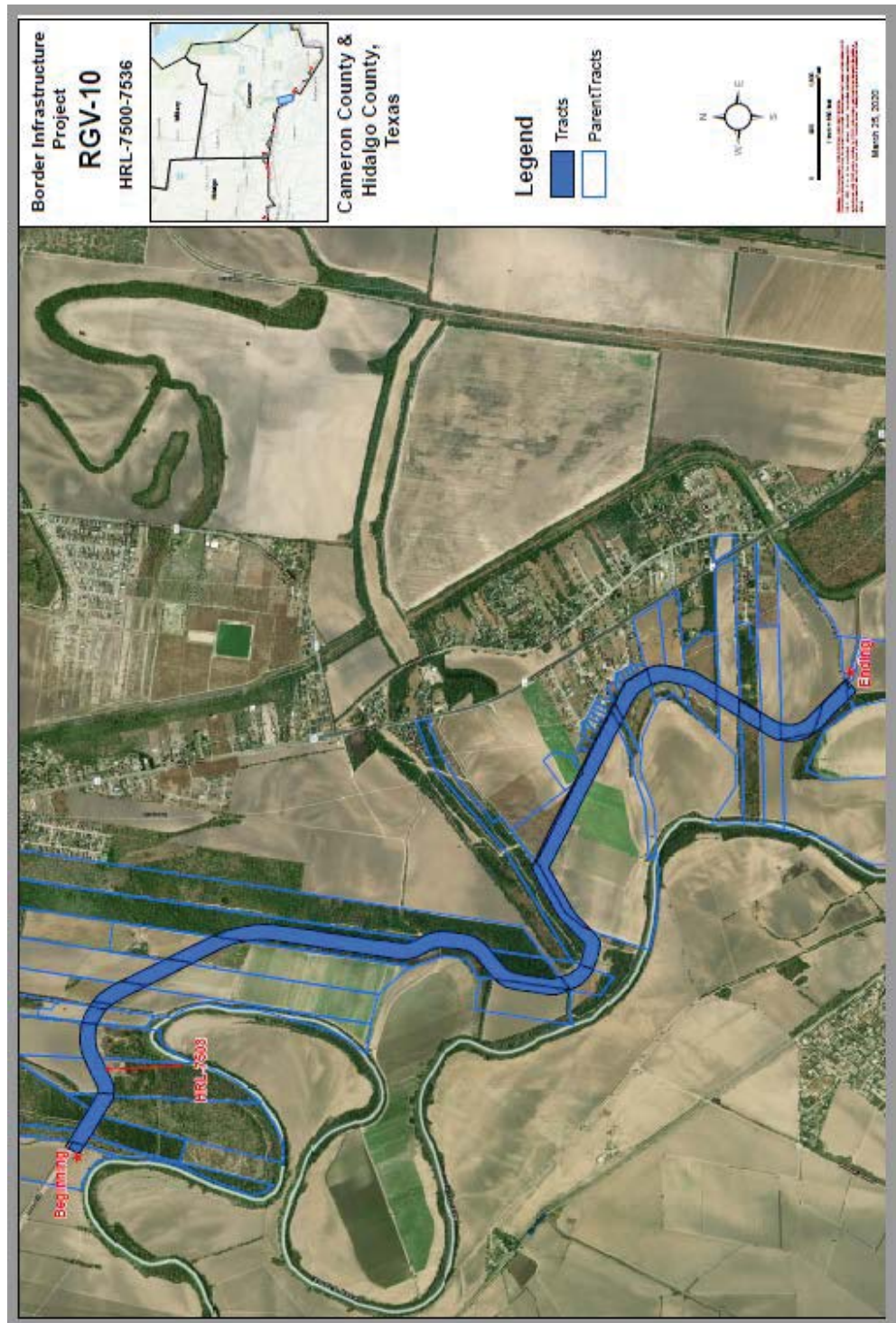
Acres: 8.691

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of the real property conveyed by Warranty Deed, recorded in the Deed Records of Cameron County, Texas on December 27, 2012 at Volume No. 19026 Page No. 237 and identified as document No. 2012-00049028; and by Warranty Deed, recorded in the Deed Records of Cameron County, Texas on May 29, 2014 at Volume No. 20192 Page No. 171 and identified as document No. 2014-00018364, reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation, and maintenance of the border barrier.

SCHEDULE E (Cont.)



# SCHEDULE F

**SCHEDULE F**

**ESTIMATE OF JUST COMPENSATION**

The sum estimated as just compensation for the land being taken is EIGHTEEN THOUSAND ONE HUNDRED AND ELEVEN DOLLARS AND NO/100 (\$18,111.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

# SCHEDULE G

**SCHEDULE G****INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. See Fed. R. Civ. P. 71.1(c).

Interested Party	Reference
<b>J &amp; I Partners, LTD</b> [REDACTED] Los Fresnos, Texas [REDACTED]	<b>RGV-HRL-7503</b> Warranty Deed, Document #49023; Recorded December 27, 2012, Deed Records of Cameron County and Warranty Deed, Document #18364; Recorded May 23, 2014, Deed Records of Cameron County
<b>Julio Gonzalez</b> [REDACTED] Los Fresnos, Texas [REDACTED]	<b>General Partner of J &amp; I Partners, LTD</b>
<b>Isaura Gonzalez</b> [REDACTED] Los Fresnos, Texas [REDACTED]	<b>General Partner of J &amp; I Partners, LTD</b>
<b>Tony Yzaguirre Jr.</b> [REDACTED] Brownsville, Texas [REDACTED]	<b>Cameron County Tax Assessor</b>

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

**DEFENDANTS**

County of Residence of First Listed Defendant \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>LABOR</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

**V. ORIGIN** (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

**FOR OFFICE USE ONLY**

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE